

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**Federal National Mortgage Association**

**Plaintiff**

**vs.**

**John J. Butler, III and Sandra E. Butler**

**Defendants**

**CIVIL ACTION NO: 1:19-cv-00218-JAW**

**CONSENT JUDGMENT OF  
FORECLOSURE AND SALE**

**RE:**

**Wyman Road, Milbridge, ME 04658**

**Mortgage:**

**November 27, 2002**

**Book 2948, Page 210**

**Washington County Registry of Deeds**

**as affected by Partial Discharge of**

**Mortgage at Book 4239, Page 174**

NOW COMES the Plaintiff, Federal National Mortgage Association, and the Defendant, John J. Butler, III and Sandra E. Butler, and hereby submit this Consent Judgment of Foreclosure and Sale.

**JUDGMENT** on Count I – Foreclosure and Sale is hereby **ENTERED** as follows:

1. If the Defendants or their heirs or assigns pay Federal National Mortgage Association (“FNMA”) the amount adjudged due and owing (\$118,125.87) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A § 6322, FNMA shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket. The following is a breakdown of the amount due and owing:

Description	Amount
Principal Balance	\$51,475.89
Interest	\$32,839.24
Corporate Advance Balance	\$15,931.47
Escrow Advance Balance	\$17,879.27
Grand Total	\$118,125.87

2. If the Defendants or their heirs or assigns do not pay FNMA the amount adjudged due and owing (\$118,125.87) within 90 days of the judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, their remaining rights to possession of the



Milbridge Property shall terminate, and FNMA shall conduct a public sale of the Milbridge Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds first to itself in the amount of \$118,125.87 after deducting the expenses of the sale, with any surplus to the Defendants or the heirs or assigns, in accordance with 14 M.R.S.A. § 6324. FNMA may not seek a deficiency judgment against the Defendants pursuant to the Defendants', John J. Butler, III and Sandra E. Butler, bankruptcy discharge and Plaintiff's waiver of deficiency.

4. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk, if requested, shall sign a certification after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal.
5. The Defendants are in breach of their loan obligation and the amount due and owing is \$118,125.87, as a result of the Defendants, John J. Butler, III and Sandra E. Butler, having failed to comply with the terms of the Note, the object of this litigation, are in breach of both the Note and Mortgage. Defendants', John J. Butler, III and Sandra E. Butler, personal liability is limited and/or extinguished by their bankruptcy discharge, and accordingly this action shall act solely as an *in rem* judgment against the property.
6. Federal National Mortgage Association has first priority, in the amount of \$118,125.87, pursuant to the subject Note and Mortgage and there are no parties in interest other than the Defendants who have second priority.
5. The prejudgment interest rate is 5.62500%, *see* 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is 10.69%, pursuant to 14 M.R.S.A. § 1602-C (The one year United States Treasury bill rate is the weekly average one-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the last full week of the calendar year immediately prior to the year in which post-judgment

interest begins to accrue-December 2022, 4.69% plus 6% for a total post-judgment interest rate of 10.69%).

6. The following information is included in this Judgment pursuant to 14 M.R.S.A. § 2401(3):

	PARTIES	COUNSEL
PLAINTIFF	Federal National Mortgage Association 3900 Wisconsin Avenue, N.W. Washington, DC 20016	Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center, Suite 303C Beverly, MA 01915
DEFENDANT	John J. Butler, III 19649 Indian Creek Drive Cottonwood, CA 96022	Thomas A. Cox, Esq. P.O. Box 1083 Yarmouth, ME 04096
	Sandra E. Butler 907 S Belgrade Road Silver Spring, MD 20902	Defaulted

- a) The docket number of this case is No. 1:19-cv-00218-JAW.
- b) The Defendants, the only parties to these proceedings besides FNMA, received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, Wyman Road, Milbridge, ME 04658, is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is Wyman Road, Milbridge, ME 04658. The Mortgage was executed by the Defendants, John J. Butler, III and Sandra E. Butler on November 27, 2002. The book and page number of the Mortgage in the Washington County Registry of Deeds is Book 2948, Page 210.

- e) The Defendants, John J. Butler, III and Sandra E. Butler, having failed to comply with the terms of the Note, the object of this litigation, are in breach of both the Note and Mortgage. Defendants', John J. Butler, III and Sandra E. Butler, personal liability is limited and/or extinguished by their bankruptcy discharge, and accordingly this action shall act solely as an *in rem* judgment against the property.
- e) This judgment shall not create any personal liability on the part of the Defendants, John J. Butler, III and Sandra E. Butler, but shall act solely as an *in rem* judgment against the property, Wyman Road, Milbridge, ME 04658.

Dated: June 8, 2023

/s/Reneau J. Longoria, Esq.  
Reneau J. Longoria, Esq. Bar No. 005746  
Attorney for Plaintiff  
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Dated: June 8, 2023

/s/Thomas A. Cox, Esq.  
Thomas A. Cox, Esq.  
(as Attorney for John J. Butler, III)  
P.O. Box 1083  
Yarmouth, ME 04096

**SO ORDERED**

**DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_**  
**U.S. DISTRICT JUDGE**

